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United States District Court

For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CHARLES MUHAMMAD,  
Plaintiff,  
v.  
DON KASSIG, et al.  
Defendants

No. C 06-5362 MMC

**ORDER DISMISSING COMPLAINT  
WITH LEAVE TO AMEND; DENYING  
APPLICATION TO PROCEED IN  
FORMA PAUPERIS; DENYING  
APPLICATION FOR TEMPORARY  
RESTRANDING ORDER**

Before the Court is plaintiff Charles Muhammad's complaint, application to proceed in forma pauperis, and application for a temporary restraining order, each filed August 31, 2006. When a party seeks to proceed in forma pauperis, the district court is required to dismiss the case if the court determines that the plaintiff fails to state a claim upon which relief can be granted. See 28 U.S.C. § 1915(e)(2)(B)(ii).

To state a claim upon which relief can be granted, a plaintiff must comply with Rule 8(a) of the Federal Rules of Civil Procedure, which requires that a complaint contain a "short and plain statement of the claim showing that the pleader is entitled to relief." See Fed. R. Civ. Proc. 8(a)(2). Plaintiff's complaint fails to comply with this requirement. Plaintiff's complaint, in addition to listing the names of the defendants, disclosing plaintiff's mailing address, and pleading a prayer for relief, alleges only that "[d]efendants violated the Fourth Amendment," "[d]efendants violated the Fifth Amendment," "[d]efendants violated

